

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JACQUELINE TERRY,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

Civil No. **3:24-CV-1170-L-BK**

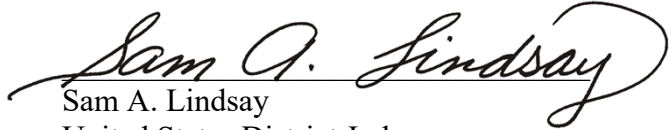
ORDER

The Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 17) was entered on August 26, 2024, recommending that the court grant Defendant United States Postal Service’s (“USPS”) Motion to Dismiss (Doc. 12) for lack of subject matter jurisdiction and dismiss USPS from this action. Plaintiff Jacqueline Terry (“Plaintiff” or “Ms. Terry”) filed her Complaint (“Complaint”) (Doc. 1), alleging a violation of the Federal Tort Claims Act (“FTCA”) when a USPS employee allegedly negligently collided with her car while on duty and driving a USPS mail truck.

Defendant USPS filed its Motion to Dismiss, arguing that the court does not have subject matter jurisdiction because the FTCA only permits claims against the United States of America, and thus, a federal agency such as USPS cannot be sued under the Act. The magistrate judge agreed and recommended that the court dismiss USPS from this action for lack of subject matter jurisdiction as an improperly named Defendant under the FTCA. Plaintiff did not file objections to the Report, and the time to do so has passed.

Having considered the Motion, Complaint, Report, file, and record in this case, the court determines that the magistrate judge's findings and conclusions in the Report are correct, and **accepts** them as those of the court. Accordingly, the court **grants** USPS' Motion to Dismiss (Doc. 6) and **dismisses without prejudice** Plaintiff's claims against USPS as alleged under the FTCA.

It is so ordered this 18th day of September, 2024.


Sam A. Lindsay
United States District Judge